

Subject: RE: Various Discovery Issues
Date: Thursday, April 1, 2021 at 10:46:46 AM Eastern Daylight Time
From: Quinn,Robert E
To: Edward Krugman
CC: Claudia Wilner, Darius Charney, Jordan Berger, Chinyere Ezie, Keisha Williams
Attachments: image001.png, image002.png, image003.png, image004.png

I uploaded a batch of email ESI from Relativity to Covington this morning. This includes COB060745 – COB061158 in image files, text files, and data files, so it should look different than our prior production. I believe this would include “metadata” but please let me know if that’s not correct or if there any issues with this manner of production. I’m not sure Covington is the best way to produce these, and this format is how expect most of our production to look going forward, but thought I’d try to see if it works since I hadn’t heard back from you on method of production. My thoughts are a disk or link might work better but whatever you want is probably fine, just let me know.

From: Quinn,Robert E
Sent: Monday, March 29, 2021 6:13 PM
To: 'Edward Krugman' <krugman@nclej.org>
Cc: Claudia Wilner <wilner@nclej.org>; Darius Charney <dcharney@ccrjustice.org>; Jordan Berger <berger@nclej.org>; Chinyere Ezie <cezie@ccrjustice.org>; Keisha Williams <kwilliams@wnylc.net>
Subject: RE: Various Discovery Issues

I’m referring to beginning of attached email. We’ll have to talk about the proposed additional search terms (I think that’s what you mean by map) at some point too, and can fold into this discussion.

From: Edward Krugman [<mailto:krugman@nclej.org>]
Sent: Monday, March 29, 2021 6:08 PM
To: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: Claudia Wilner <wilner@nclej.org>; Darius Charney <dcharney@ccrjustice.org>; Jordan Berger <berger@nclej.org>; Chinyere Ezie <cezie@ccrjustice.org>; Keisha Williams <kwilliams@wnylc.net>
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Thanks.

I have a number of things I need to get back to you on (and will, now that we have your ESI position), but that was not one of them. (I assume you’re not talking about the “map”, which I sent you on 3/19.) Please ask your question again (or, better, point me to where it was asked), and we’ll include it in the note.



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From: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Date: Monday, March 29, 2021 at 5:59 PM
To: Edward Krugman <krugman@nclej.org>
Cc: Claudia Wilner <wilner@nclej.org>, Darius Charney <dcharney@ccrjustice.org>, Jordan Berger <berger@nclej.org>, Chinyere Ezie <cezie@ccrjustice.org>, Keisha Williams <kwilliams@wnylc.net>
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Yes, COB includes BPD (but not all of ECAC). Believe I'm still waiting on your response/explanation for the proposed "new" custodians, let me know if that's incorrect.

From: Edward Krugman [<mailto:krugman@nclej.org>]
Sent: Monday, March 29, 2021 5:55 PM
To: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: Claudia Wilner <wilner@nclej.org>; Darius Charney <dcharney@ccrjustice.org>; Jordan Berger <berger@nclej.org>; Chinyere Ezie <cezie@ccrjustice.org>; Keisha Williams <kwilliams@wnylc.net>
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Rob thanks. A point of clarification: do the "COB" custodians include the "BPD" custodians? If so, great; if not, please let us know which of the custodians (old and new) are in which category, and what will be happening with respect to BPD non-e-mail ESI.



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From: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Date: Monday, March 29, 2021 at 5:23 PM
To: Edward Krugman <krugman@nclej.org>
Cc: Claudia Wilner <wilner@nclej.org>, Darius Charney <dcharney@ccrjustice.org>, Jordan Berger <berger@nclej.org>, Chinyere Ezie <cezie@ccrjustice.org>, Keisha Williams <kwilliams@wnylc.net>
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I'm planning on sending the non-email ESI of COB custodians to Relativity. The drives do not appear to be organized in a way that makes the folders manually searchable and a key word search through Windows only

hits for the file names. There does not appear to be a large amount of data at all and from my initial review it appears that any/most/all potentially responsive documents have already been produced through email ESI. This will be rolling but expect initial upload and search to be completed this week.

On a related note, I expect that we'll be producing an initial email ESI production from Relativity tomorrow. My understanding is that there will be an image file, a data file, and a native file where no image is possible (things like Excel's from my understanding) with placeholder text/image "file produced natively". As this will likely come up in the non-email ESI as well, I just want to make sure we're on the same page. Let me know if there are any issues with production in this matter, and please confirm that I should I still upload these to Covington or let me know if you would prefer we use an alternate method like mailing a disk. Unfortunately I have not resolved the Lotus Notes issue yet so the initial production will be Brown/Morgera/Helfer, and I'll continue to produce Lockwood for now.

For ECAC, I now have access to the shared drive and our position in my 3/12/21 email still stands. Believe request for everything is burdensome, overbroad, and not reasonably calculated to lead to discoverable evidence, etc., and this would include the requests for every map ever created. With that said, I can now perform keyword searches of file names, and have looked through so am generally familiar with the file organization, if you would like to discuss this further to see if another resolution is possible.

From: Quinn,Robert E
Sent: Tuesday, March 23, 2021 10:57 AM
To: Edward Krugman <krugman@nclej.org>
Cc: Claudia Wilner <wilner@nclej.org>; Darius Charney <dcharney@ccrjustice.org>; Jordan Berger <berger@nclej.org>; Chinyere Ezie <cezie@ccrjustice.org>; Keisha Williams <kwilliams@wnylc.net>
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Access is not limited to ECAC, its all drives, so I don't have a position on appropriate method yet. I will respond further tomorrow once I have access to everything.

We're working on metadata, I'll update tonight or tomorrow.

From: Edward Krugman [mailto:krugman@nclej.org]
Sent: Tuesday, March 23, 2021 10:47 AM
To: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: Claudia Wilner <wilner@nclej.org>; Darius Charney <dcharney@ccrjustice.org>; Jordan Berger <berger@nclej.org>; Chinyere Ezie <cezie@ccrjustice.org>; Keisha Williams <kwilliams@wnylc.net>
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Rob, unless I misunderstand, your "access" relates solely to ECAC. Could you answer the other two issues as well, please?

- What is your position on the appropriate method of search for non-e-mail ESI?
- Will you produce the metadata spreadsheet tomorrow?

Thanks



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From: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Date: Tuesday, March 23, 2021 at 9:46 AM
To: Edward Krugman <krugman@nclej.org>
Cc: Claudia Wilner <wilner@nclej.org>, Darius Charney <dcharney@ccrjustice.org>, Jordan Berger <berger@nclej.org>, Chinyere Ezie <cezie@ccrjustice.org>, Keisha Williams <kwilliams@wnylc.net>
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I will have access tomorrow after 2.

From: Quinn,Robert E
Sent: Tuesday, March 23, 2021 6:51 AM
To: Edward Krugman <krugman@nclej.org>
Cc: Claudia Wilner <wilner@nclej.org>; Darius Charney <dcharney@ccrjustice.org>; Jordan Berger <berger@nclej.org>; Chinyere Ezie <cezie@ccrjustice.org>; Keisha Williams <kwilliams@wnylc.net>
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Followed up yesterday and it's my understanding that I'll have access today or tomorrow, they're just working on technical aspects. I'll respond as further as soon as that happens.

From: Edward Krugman [<mailto:krugman@nclej.org>]
Sent: Monday, March 22, 2021 1:26 PM
To: Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>
Cc: Claudia Wilner <wilner@nclej.org>; Darius Charney <dcharney@ccrjustice.org>; Jordan Berger <berger@nclej.org>; Chinyere Ezie <cezie@ccrjustice.org>; Keisha Williams <kwilliams@wnylc.net>
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Rob, checking in on the updates mentioned below, which you had indicated you would have for us this past Friday.

EPK



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From: Edward Krugman <krugman@nclej.org>

Date: Friday, March 19, 2021 at 12:40 PM

To: Quinn, Robert E <rquinn@ch.ci.buffalo.ny.us>

Cc: Claudia Wilner <wilner@nclej.org>, Darius Charney <dcharney@ccrjustice.org>, Jordan Berger <berger@nclej.org>, Chinyere Ezie <cezie@ccrjustice.org>, Keisha Williams <kwilliams@wnylc.net>

Subject: Various Discovery Issues

Rob

As promised, I am sending two tables that “map” the search terms (new and old) to the custodians (new and old) for whom they should be run. Please let me know of any questions. To be clear (and subject to our ongoing ESI discussion), this map covers both e-mails and non-e-mail ESI.

I look forward to receiving today the two updates from your e-mail of last Friday evening that you said you would have today

- The “method of search” you feel appropriate for non-e-mail ESI, and
- The update on ECAC following your review on independent access to the ECAC files.
- In addition, please include a status report on the metadata spreadsheet; the ongoing absence of that information has significantly affected our ability to review your production efficiently. Your statement that you “will work with the vendor to produce as soon as possible” is not sufficient. You say you have the data; please produce the spreadsheet no later than March 24.

On parking violations, the exemplars you provided were helpful, as is your comment that you cannot search by location of BMHA properties. We will accept Citywide electronic listing of parking tickets limited to tickets for expired inspection or registration tags. Please provide a list of the fields in the PVB database so we can select the ones to be run for the query.

We will have more things to say, but to avoid dribbling things out, we’ll respond to the rest of your e-mail Monday or Tuesday, after we get the two updates promised for today.

EPK